UNITED
NATIONS

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General Assembly

Distr.
LIMITED

A/C.3/47/L.62
1 December 1992

ORIGINAL: ENGLISH

Forty-seventh session
THIRD COMMITTEE
Agenda item 97 (b)

HUMAN RIGHTS QUESTIONS: HUMAN RIGHTS QUESTIONS, INCLUDING ALTERNATIVE APPROACHES FOR IMPROVING THE EFFECTIVE ENJOYMENT OF HUMAN RIGHTS AND FUNDAMENTAL FREEDOMS

China, Cuba, Ghana, Lao People's Democratic Republic, Libyan Arab Jamahiriya, Nigeria, United Republic of Tanzania, Viet Nam and Zimbabwe: draft resolution

The General Assembly,

Reaffirming its faith in fundamental human rights, in the dignity of worth of the human person and in the equal rights of men and women and of nations large and small and its determination to promote social progress and better standards of living in greater freedom,

Bearing in mind that one of the purposes of the United Nations is to develop friendly relations among nations based on respect for the principle of equal rights and self-determination of peoples and to take other appropriate measures to strengthen universal peace,

Bearing in mind also that one of the purposes of the United Nations is to achieve international cooperation in solving international problems in an economic, social, cultural or humanitarian character and in promoting and encouraging respect for human rights and fundamental freedoms for all without distinction as to race, sex, language or religion,

Recalling that, in accordance with Article 55 of the Charter of the United Nations, the Organization shall promote universal respect for, and observance of, human rights and fundamental freedoms for all, with a view to creating conditions of stability and well-being that are necessary for peaceful and friendly relations among nations, based on respect for the

principle of equal rights and self-determination of peoples and that, in accordance with Article 56, all Members pledge themselves to take joint and separate action in cooperation with the Organization for the achievement of the purposes set forth in Article 55,

Reiterating that Member States should continue to act in the human rights field in conformity with the provisions of the Charter,

Desirous of achieving further progress in international cooperation in promoting and encouraging respect for human rights and fundamental freedoms,

Considering that such international cooperation should be based on the principles embodied in international law, especially the Charter, as well as the Universal Declaration of Human Rights, 1/ the International Covenants on Human Rights 2/ and other relevant instruments,

Deeply convinced that United Nations action in this field should be based not only on a profound understanding of the broad range of problems existing in all societies but also on full respect for the political, economic and social realities of each of them, in strict compliance with the purposes and principles of the Charter and for the basic purpose of promoting and encouraging respect for human rights and fundamental freedoms through international cooperation,

Reaffirming its resolutions 45/163 and 46/129,

Recalling its resolution 3[illegible]/130 of 16 December 1977, 37/200 of 18 December 1982, 41/155 of 4 December 1986 and 43/155 of 8 December 1988,

Bearing in mind its resolutions 2131 (XX) of 21 December 1965, 2625 (XXV) of 24 October 1970 and 36/103 of 9 December 1981,

Taking into account the Commission on Human Rights resolution 1992/39 of 28 February 1992,

Taking note of the recommendation made by the Commission on Human Rights in the annex to its resolution 1991/30 of 5 March 1991, that the Preparatory Committee for the World Conference on Human Rights should make suggestions aimed at ensuring the universality, objectivity and non-selectivity of the consideration of human rights issues in United Nations human rights forums,

Aware of the fact that the promotion, protection and full exercise of all human rights and fundamental freedoms as legitimate concerns of the world community should be guided by the principles of non-selectivity, impartiality and objectivity and should not be used for political ends,

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1/ Resolution 217 A (III).

2/ See resolution 2700 A (XXI), annex.

Underlining the particular duty of all special rapporteurs and representatives on thematic issues and countries, as well as of the members of the working groups, to carry out their mandates with objectivity, seriousness and independence of opinions in accordance with the humanitarian spirit that should prevail in their activities, which should be exempt from any manipulation with political purposes;

Underlining also the obligation that Governments have to promote and protect human rights and to carry out the responsibilities that they have undertaken under international law, especially the Charter, as well as various international instruments in the field of human rights,

1. Reiterates that, by virtue of the principle of equal rights and self-determination of peoples enshrined in the Charter of the United Nations, all peoples have the right freely to determine, without external interference, their political status and to pursue their economic, social and cultural development, and that every State has the duty to respect that right within the provisions of the Charter, including respect for territorial integrity;

2. Reaffirms that is a purpose of the United Nations and the task of all Member States, in cooperation with the Organization, to promote and encourage respect for human rights and fundamental freedoms and to remain vigilant with regard to violations of human rights wherever they occur;

3. Calls upon all Member States to base their activities for the protection and promotion of human rights, including the development of further international cooperation in this field, on the Charter, the Universal Declaration of Human Rights, the International Covenant on Economic, Social and Cultural Rights, the International Covenant on Civil and Political Rights, and other relevant international instruments and to refrain from activities that are inconsistent with this international framework;

4. Considers that international cooperation in this field should make an effective and practical contribution to the urgent task of preventing mass and flagrant violations of human rights and fundamental freedoms for all and to the strengthening of international peace and security;

5. Affirms that the promotion, protection and full realization of all human rights and fundamental freedoms as legitimate concerns of the world community should be guided by the principles of non-selectivity, impartiality and objectivity and should not be used for political ends;

6. Requests all human rights bodies within the United Nations system, in particular the special rapporteurs and representatives, independent experts and working groups, to take duly into account the content of the present resolution in carrying out their mandates;

7. Expresses its conviction that an unbiased and fair approach to human rights issues contributes to the promotion of international cooperation as well as to the effective promotion, protection and realization of human rights and fundamental freedoms;

8. Underlines, in this context, the continuing need for impartial and objective information on the political, economic and social situations and events of all countries;

9. Invites Member States to consider adopting, as appropriate, within the framework of their respective legal systems and in accordance with their obligation under international law, especially the Charter, as well as international human rights instruments, the measures that they may deem appropriate to achieve further progress in international cooperation in promoting and encouraging respect for human rights and fundamental freedoms;

10. Requests the Commission on Human Rights, at its forty-ninth session, to continue to examine ways and means to strengthen United Nations action in this regard on the basis of the present resolution and of Commission resolution 1992/39;

11. Invites the Secretary-General to continue requesting information and comments from all Member States on the present resolution for their timely transmission to the Preparatory Committee for the World Conference on Human Rights, regional conferences and the World Conference itself in order to consider and formulate the relevant proposals, including ways and means to strengthen United Nations action in this regard;

12. Requests the Secretary-General to provide the Preparatory Committee for the World Conference with the United Nations documentation relevant to the present resolution;

13. Decides to consider this matter under the item entitled "Human rights questions" at its forty-eighth session.